UNITED STATES DISTRICT COURT

District of RHODE ISLAND

GUINDON, ET AL

V.

AMERICAN FOAM CORPORATION, ET AL

SUMMONS IN A CIVIL CASE

CASE NUMBER: CA 03-335L

TO: (Name and address of Defendant)

Foamex International
1000 Columbia Ave.
Linwood, PA 19061

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brian R. Cunha, Esq.
BRIAN CUNHA & ASSOCIATES, P.C.
311 Pine Street
Fall River, MA 02720

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Paulette J. Duke

CLERK

Chief Deputy Clerk

(By) DEPUTY CLERK

DATE 11/20/03

45

UNITED STATES DISTRICT COURT OF RHODE ISLAND

Side

SHERIFF'S DEPARTMENT

3.00

DELAWARE COUNTY

FRONT STREET & VETERANS SQUARE, MEDIA, PENNSYLVANIA 19063 (610) 891-4296

11-25-03

SHERIFF SERVICE
PROCESS RECEIPT, and AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type. Do Not detach any copies.

1. PLAINTIFF/S/
GUINDON et al

2. COURT NUMBER
CA03-335

3. DEFENDANT/S/
AMERICAN FOAM CORP et al

4. TYPE OF WRIT OR COMPLAINT
SUMMONS & COMPLAINT

SERVE
5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE
FOAMEX INTERNATIONAL

AT
6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)
1000 COLUMBIA AVENUE, LINWOOD, PA 19061

7. INDICATE UNUSUAL SERVICE: ☐ REG. MAIL ☐ DEPUTIZE ☐ POST ☐ OTHER

Now, ______________ 20______, I, SHERIFF OF DELAWARE COUNTY, PA., do hereby deputize the Sheriff of ______________ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. ______________
SHERIFF OF DELAWARE COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

US DISTRICT COURT OF RHODE ISLAND

SPECIAL SERVICE

[redacted]
Deputy Sheriff

Invoice No. SMITHJ-57697
Amount Pd. $41.40PD
Docket #
Page 1 COPY

46.50 due

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. PRINT/TYPE NAME AND ADDRESS OF ATTORNEY/ORIGINATOR
KAREN ALEGRIA, ESQ
LAW OFFICES OF BRIAN CUNHA
311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720

10. TELEPHONE NUMBER
508-675-9500

11. DATE

12. SIGNATURE

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.
SIGNATURE of Authorized DCSD Deputy or Clerk and Title: JESSICA
14 Date Filed: 11/25/03
15 Expiration/Hearing date: ------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to FOAMEX INTERNATIONAL, Defendant(s)
on the 26 day of NOV., 2003, at 12:46 o'clock, P M.,
at SAID ADDRESS Street, County of Delaware,
Commonwealth of Pennsylvania, in the manner described below:
- ☐ Defendant(s) personally served.
- ☐ Adult family member with whom said Defendant(s) reside(s). Relationship is ______
- ☐ Adult in charge of Defendant's residence.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
- ☒ Agent or person in charge of Defendant's office or usual place of business. (x) Casey Jacobs
- ☐ Posted ______
- ☐ Other ______

On the ______ day of ______, 20______, at ______ o'clock, ______ M.
Defendant not found because:
☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Other ______

REMARKS:

RETURNED:

17. AFFIRMED and subscribed to before me this 9th
20. day of December 2003
23. [signature] Notary Public
MY COMMISSION EXPIRES

SO ANSWER.
18. Signature of Dep. Sheriff: Robert Eder #205
19. Date: 11-26-2003
21. Signature of Sheriff: [signature]
22. Date
JOSEPH F. McGINN, SHERIFF OF DELAWARE COUNTY

24. I ACKNOWLEDGE RECEIPT OF THE **SHERIFF'S RETURN SIGNATURE** OF AUTHORIZED ISSUING AUTHORITY AND TITLE.
25. Date Received

DCSD-1-1989

NOTARIAL SEAL
SHERI L. ZUPPO, Notary Public
Media Boro., Delaware County
My Commission Expires August 24, 2005

1. ISSUING AUTHORITY

IN THE COURTS OF COMMON PLEAS OF DELAWARE COUNTY

State of Pennsylvania

County of Delaware, ss:

I, Deborah L. Gaston, Director of the Office of Judicial Support of said County, which are Courts of Record having a common seal, being the officer authorized by the laws of the State of Pennsylvania to make the following certificate:

do Certify, That Sheri L. Zuppo .... Esquire before whom the annexed affidavit or acknowledgement was made, was at the time of so doing

a NOTARY PUBLIC .... for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgements and Proofs of Deeds or conveyances for lands, tenements and hereditaments to be recorded in said State of Pennsylvania, and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judication as elsewhere; and that I am well acquainted with the handwriting of the

said NOTARY PUBLIC Sheri L. Zuppo .... and verily believe the signature thereto is genuine, and that said oath or affirmation, purports to be taken in all respects as required by the laws of the State of Pennsylvania.

The impression of the seal of the laws of the NOTARY PUBLIC is not required by law to be filed in this office

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, this 14th day of January .... in the year of our lord two thousand 2004 ....

.... Deborah L. Gaston, Director

By Deborah L. Gaston .... Office of Judicial Support

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